



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 2  
290 BROADWAY  
NEW YORK, NY 10007-1866

JUN 24 2014

**CERTIFIED MAIL RETURN RECEIPT REQUESTED**

Mr. Paul Brzozowski  
Remediation Manager  
Tierra Solutions, Inc.  
Two Tower Center Boulevard, 10<sup>th</sup> Floor  
East Brunswick, New Jersey 08816

Re: Diamond Alkali Superfund Site, Lower Passaic River Study Area  
Administrative Order on Consent, Index No. CERCLA 02-2011-2016  
Bill for Collection No. 2721426S0035R

Dear Mr. Brzozowski:

Enclosed is a revised Bill for Collection and supporting information that replaces the bill dated April 29, 2014.

The United States Environmental Protection Agency ("EPA") is charged with responding to the release or threatened release of hazardous substances into the environment and with enforcement responsibilities under the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), as amended, 42 U.S.C. Section 9601 *et seq.* EPA has documented the release or threat of release of hazardous substances into the Lower Passaic River Study Area portion of the Diamond Alkali Superfund Site. In response to the release or threatened release of hazardous substances, EPA has spent, and will continue to spend, public funds on actions to investigate and control such releases and threatened releases at the site pursuant to Section 104 of CERCLA.

On October 4, 2011, EPA entered into an Administrative Order on Consent ("Order"), Index No. CERCLA 02-2011-2016, with Occidental Chemical Corporation ("OCC") for the performance of the Combined Sewer Overflow/Storm Water Outfall ("CSO-SWO") Investigation. Pursuant to Paragraph 91(a) of this Order, OCC agreed to reimburse EPA for all Future Response Costs, as defined in the Order, incurred by EPA in connection with the CSO-SWO Investigation.

This Bill for Collection No. 2721426S0035R covers the period from September 1, 2012 through August 31, 2013.

Enclosure A to the Bill for Collection is a narrative statement describing EPA's oversight and response costs. Enclosure B consists of two itemized cost summaries, referred to as Superfund

Cost Recovery Package Imaging and On-Line System ("SCORPIO\$") reports for the Diamond Alkali Site, site identification number 02 96, Operable Unit (OU) 00 and OU 02 CSO-SWO. For the purposes of the SCORPIO\$ report, OU 02 CSO-SWO represents the CSO-SWO Investigation. Some personnel charged their time to OU00 to represent time spent equally on all OUs, so that OU00 costs have been apportioned among all OUs, as described in the enclosure. While all OU 00 charges are included in the SCORPIO\$ report for OU 00 that appears in Enclosure B, this Bill for Collection includes only those costs that EPA has apportioned to the CSO-SWO Investigation.

EPA certifies that as of August 31, 2013, it has expended at least \$52,001.93 in oversight and response costs relating to the CSO-SWO Investigation.

As per Section XVIII 91.a. of the Order, payment shall be made within thirty (30) days of receipt of this letter. To make payment via electronic funds transfer ("EFT"), you should instruct your bank to remit payment in the required amount to EPA accompanied by the following information:

Amount of payment: **\$ 52,001.93**  
EFT to be directed to: **Federal Reserve Bank of New York**  
Bank routing number: **021030004**  
Bank account number receiving payment: **68010727**  
SWIFT address: **FRNYUS33**  
Address: **Federal Reserve Bank of New York**  
**33 Liberty Street**  
**New York, NY 10045**  
Field tag 4200 of the Fedwire message to read (for Fedwire payments):  
**D 68010727 Environmental Protection Agency**  
Name of remitter: **Occidental Chemical Corporation**  
Case number: **CERCLA 02-2011-2016**  
Site name: **Diamond Alkali**  
Site/spill identifier: **02-96**

To ensure that your payment is properly recorded, you are required to notify EPA contemporaneously with the payment. You may send an e-mail or a letter which references the date of the EFT, the payment amount, the name of the Site, the case number, and your name and address to:

Alice Yeh, Remedial Project Manager  
Emergency & Remedial Response Division  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 19<sup>th</sup> floor  
New York, New York 10007-1866  
yeh.alice@epa.gov

and

Patricia Hick, Assistant Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 2  
290 Broadway, 17<sup>th</sup> floor  
New York, New York 10007-1866  
hick.patricia@epa.gov

and

Richard Rice  
U.S. Environmental Protection Agency  
26 W. Martin Luther King Drive  
Attention: FINANCE  
MS: NWD  
Cincinnati, Ohio 45268  
rice.richard@epa.gov and AcctsReceivable.CINWD@epa.gov

The United States reserves its rights to recover any costs paid during the time period covered by this accounting but not included in this billing, and all other oversight and response costs incurred pursuant to the Administrative Order on Consent.

EPA reaffirms its commitment to conduct appropriate and cost-effective oversight of work performed by consenting parties while ensuring protective cleanups. To this end, EPA would once again like to offer to discuss with you its plans for the oversight of ongoing work at the Site, and to provide you with the opportunity to suggest ways to effectively streamline the work and its oversight.

If you have any questions regarding this matter, please contact Alice Yeh at (212) 637-4427. Legal inquiries should be directed to Patricia Hick at (212) 637-3137. Thank you for your prompt attention to this matter.

Sincerely yours,

  
Raymond Basso, Lower Passaic River Project Director  
Emergency & Remedial Response Division

Enclosures

cc: Carol Dinkins, Esq





United States  
ENVIRONMENTAL PROTECTION AGENCY  
Washington, DC 20460

BILL FOR COLLECTION		BILL NO. 2721426S0035R
BUREAU/OFFICE FOR REMITTANCE PAYABLE USEPA - REGION II SUPERFUND PAYMENTS - CINCINNATI FINANCE CENTER		DATE JUN 24 2014
ADDRESS FOR MAILING PAYMENT P.O. BOX 979076, ST. LOUIS, MO 63197-9000		AMOUNT OF PAYMENT

PAYER

Mr. Paul Brzozowski  
Remediation Manager  
Tierra Solutions, Inc.  
Two Tower Center Boulevard, 10th Floor  
East Brunswick, New Jersey 08816

Re: Diamond Alkali Superfund Site;  
Lower Passaic River Study Area, OU02 CSO-SWO;  
Administrative Order on Consent, Index No. CERCLA 02-2011-2016;

DATE	DESCRIPTION	QUANTITY	UNIT PRICE	
			COST	PER
	Monies due the Hazardous Substance Trust Fund (Treasury) for cleanup of hazardous waste spills on sites.  Site ID# 02-96  Payment due within 30 days of the receipt of this bill. If payment is not received by this date, a daily interest charge of 0.0022% (0.81% per annum) will be assessed from the first day after the payment is overdue through the date of payment.			
			\$ 52,001.	93

**IMPORTANT:** A receipt will be issued for all cash remittances and for all other remittances when required by applicable procedures.  
Failure to receive a receipt for cash payment should be promptly reported to the bureau or office shown above.

AMOUNT DUE \$ 52,001. 93



## ENCLOSURE A

### Summary of Costs Paid by EPA

09/01/12 through 08/31/13

Diamond Alkali Superfund Site, Newark, New Jersey

Operable Unit Two – Combined Sewer Overflow/Stormwater Outfall (CSO-SWO) Investigation  
Site ID: 02 96

#### **OU02 CSO-SWO:**

##### Payroll from OU02 CSO-SWO:

These costs consist of direct EPA personnel charges for time spent by EPA employees in overseeing work performed under the Administrative Order on Consent, Index No. CERCLA-02-2011-2016 (“this AOC”), including review of technical submissions, meetings and/or conferring with OCC representatives, internal meetings and conferences concerning the CSO-SWO Investigation, community relations/outreach and coordination with Partner Agencies. See enclosed Payroll Section 3 of EPA’s Itemized Cost Summary.

\$ 6,810.28

##### Interagency Agreement (IAG) from OU02 CSO-SWO:

These costs consist of technical support by the U.S. Army Corps of Engineers, Kansas City, for oversight of work performed under this AOC. Some of the costs included in IAG DW96942125 for the voucher numbers listed in Enclosure C are related to oversight of the CSO-SWO Investigation.

\$ 29,683.00

##### Indirect Costs from OU02:

Indirect costs are those costs which are necessary to the operation of the Superfund program and the support of site cleanup efforts, but which cannot be tied directly to the efforts at any one site. Indirect costs are allocated to particular Superfund sites by means of a methodology established by EPA Headquarters.

for Payroll (\$2,222.16) + for IAG (\$29,683.00\*32.63%)

\$ 11,907.72

*Subtotal Costs from OU02:*

\$ 48,401.00

## OU 00

### Payroll and associated Indirect Costs from OU 00:

The OU 00 SCORPIO\$ report includes payroll and associated indirect costs for OU 01, OU 02 (OCC/Tierra Solutions, Inc. [TSI] Removal and CSO-SWO Investigation), OU 03 (EPA lead activities, Cooperating Parties Group [CPG]-lead Removal and CPG-lead RI/FS) and OU 04. Therefore, these costs were divided evenly among the seven components.

(\$17,246.20 + \$5,627.41 indirect) divided by 7 \$ 3,267.66

### Other Expenditures and associated Indirect Costs from OU00:

These costs consist of charges for contractor support for file storage and maintenance by Ensoftek for OU 01, OU 02 (OCC/TSI Removal and CSO-SWO Investigation), OU 03 (EPA lead activities, CPG-lead Removal and CPG-lead RI/FS) and OU 04. Therefore, these costs were divided evenly among the seven components.

(\$1,758.93 + \$573.94 indirect) divided by 7 \$ 333.27

### OU 00 costs not associated with this bill:

“Systems Research & Applications Corp” charges for contractor support for Community Advisory Group (CAG) facilitation, “State Cooperative Agreement” costs for oversight and support provided by the New Jersey Department of Environmental Protection under a cooperative agreement with EPA and “Technical Assistance Grant” costs related to the Passaic River Coalition grant were not related to work performed under this AOC.

*Subtotal Costs from OU00:* \$ 3,600.93

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**Bill for Collection Amount**

**\$ 52,001.93**